

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

U.S. COMMODITY FUTURES)	
TRADING COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 1:15-CV-538-WKW
)	(WO)
DINAR CORP, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

The Statutory Restraining Order (Doc. # 8) entered on July 27, 2015, is currently set to expire at 4:08 p.m. on September 3, 2015. (Doc. # 43.) At a preliminary injunction hearing held on September 3, 2015, Plaintiff United States Commodity Futures Trading Commission and Defendants Husam Tayeh, Dinar Corp., Inc., and My Monex, Inc., a Nevada corporation (“Monex Nevada”) notified the court that they jointly consent to a continuation of the Statutory Restraining Order until a new, consent preliminary injunction is entered.

Federal Rule of Civil Procedure 65(b)(2) provides that a temporary restraining order may operate for longer than a period of twenty-eight days if the adverse party consents. Fed. R. Civ. P. 65(b)(2); *Fernandez-Roque v. Smith*, 671 F.2d 426, 429-30 (11th Cir. 1982). Because Defendants have consented to the

extension of the Statutory Restraining Order, the court finds that Statutory Restraining Order will be continued until entry of a consent preliminary injunction.

Accordingly, it is ORDERED that the duration of the Statutory Restraining Order (Doc. # 8), which was previously set to expire on September 3, 2015, is EXTENDED and the Statutory Restraining Order (Doc. # 8) shall remain in force and effect as to Defendants Husam Tayeh, Dinar Corp., Inc., and Monex Nevada, until a new consent preliminary injunction is entered.

Further, it is ORDERED that, **on or before September 14, 2014**, Plaintiff United States Commodity Futures Trading Commission and Defendants Husam Tayeh, Dinar Corp., Inc., and My Monex, Inc., a Nevada corporation (“Monex Nevada”) shall file a proposed consent order of preliminary injunction. The court will enter a consent preliminary injunction within a reasonable time after the parties file the proposed order.

Plaintiff is DIRECTED to promptly serve Relief Defendant My Monex Inc., an Alabama corporation, with a copy of this Order.

DONE this 3rd day of September, 2015.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE